

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

SEP 08 2005

JOHN F. CORCORAN, CLERK
BY: *H. McDonald*
DEPUTY CLERK

SOUTHPRINT, INC.
d/b/a Checkered Flag Sports,

Plaintiff,

v.

H3, INC.

Defendant.

CIVIL ACTION No. 4:02-CV-0038

ORDER

JUDGE NORMAN K. MOON

By order of the Court, this case was referred to the Honorable Michael F. Urbanski, United States Magistrate Judge, for report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate filed his report on July 29, 2005, recommending that this Court grant Defendant's motion for summary judgment and order that this case be dismissed. Plaintiff filed Objections to the Report and Recommendation on August 15, 2005, and Defendant responded to these objections on August 23, 2005.

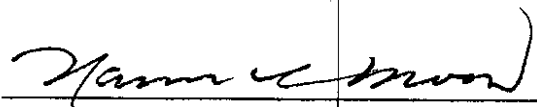
Plaintiff's objections having been timely and appropriately lodged, this Court must undertake a *de novo* review of the case. *Orpiano v. Johnson*, 687 F.2d 44, 48 (4th Cir. 1982). After a thorough examination of the parties' objections, the supporting memoranda, the applicable law, the documented record, and the Report and Recommendation, this court overrules all objections.

Accordingly, it is this day ORDERED that the Report and Recommendation of the United States Magistrate Judge filed July 29, 2005, shall be, and hereby is, ADOPTED, in its entirety.

This case is dismissed and stricken from the docket of the Court.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

ENTER:


U.S. District Court Judge

DATE:

9/8/05